

**THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**IN RE:**

**TURNER, PHILLIP**

**DEBTOR**

§  
§  
§  
§  
§  
§

**CASE NO. 02-45077-R  
CHAPTER 7**

**TRUSTEE'S  
FINAL REPORT AND PROPOSED DISTRIBUTION**

LINDA S. PAYNE, trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of her office and that the trustee has examined all proofs of claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document once filed, constitutes my valid signature for the purposes of 11 U.S.C. § 704(9) and Fed.R.Bankr.Pro.9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation and Report of Proposed Distribution be approved.

Date: October 2, 2004

/s/ Linda Payne  
Linda Payne, Trustee

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**IN RE:**

**TURNER, PHILLIP**

**DEBTOR**

§  
§  
§  
§  
§  
§  
§

**CASE NO. 02-45077-R  
CHAPTER 7**

**TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE CASE AND  
DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all moneys in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U. S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: October 2, 2004

/s/ Linda Payne  
Linda Payne, Trustee

**SCHEDULE A-1**

FINAL ACCOUNT AS OF: 10/2/04

**A: Receipts** **\$4,407.63**

**B. Disbursements**

1. Secured Creditors-----

2. Administrative-----

3. Priority-----

4. Other-----

Total disbursements-----

**C. Current Balance** **\$4,407.63**

## Form 1

Page: 1

## Individual Estate Property Record and Report

## Asset Cases

Case Number: 02-45077 DRS

Trustee: (631540)

LINDA S. PAYNE

Case Name: TURNER, PHILLIP CRAIG

Filed (f) or Converted (c): 09/20/02 (f)

\$341(a) Meeting Date: 11/18/02

Period Ending: 10/03/04

Claims Bar Date: 04/15/03

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Cash Used for every day living	125.00	125.00	DA	0.00	FA
2	Merrill Lynch Bank Account Reviewed bank statements. Made demand for funds.	490.00	4,400.84	DA	4,400.84	FA
3	Household Goods	11,800.00	0.00	DA	0.00	FA
4	Various paintings and posters Reveiwed appraisals and research on internet - value appears correct.	9,350.00	0.00	DA	0.00	FA
5	Various painting owned by wife Listed on Schedule B - non filing spouses separate property.	1,600.00	0.00	DA	0.00	FA
6	Clothing and jewelry	6,100.00	0.00	DA	0.00	FA
7	Clothing and jewelry as separate property Clothing and jewlry listed on Schedule B - separate property of non filing spouse.	1,200.00	0.00	DA	0.00	FA
8	Exercise equipment	1,200.00	0.00	DA	0.00	FA
9	Bicycles of wife Listed on Schedule B as separate property of non filing spouse.	125.00	0.00	DA	0.00	FA
10	Retirements and IRA Schedule B also shows non filing spouses retirement	5,268.00	0.00	DA	0.00	FA

## Form 1

Page: 2

## Individual Estate Property Record and Report

## Asset Cases

Case Number: 02-45077 DRS

Trustee: (631540)

LINDA S. PAYNE

Case Name: TURNER, PHILLIP CRAIG

Filed (f) or Converted (c): 09/20/02 (f)

\$341(a) Meeting Date: 11/18/02

Period Ending: 10/03/04

Claims Bar Date: 04/15/03

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property) and IRAs	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
11	Stock in private corporation Not worth the expense of liquidating.	17.00	17.00	DA	0.00	FA
12	BMW	33,000.00	0.00	DA	0.00	FA
13	1998 BMW - Leases Listed on schedule B - property of non filing spouse	0.00	0.00	DA	0.00	FA
14	Office equipment	1,500.00	0.00	DA	0.00	FA
15	Two guitars	1,200.00	0.00	DA	0.00	FA
16	Homestead - 6509 Cypress Pt	509,000.00	0.00	DA	0.00	FA
17	Four Birman cats	2,300.00	0.00	DA	0.00	FA
Int	INTEREST (u)	Unknown	N/A		6.79	Unknown
18	Assets Totals (Excluding unknown values)	\$584,275.00	\$4,542.84		\$4,407.63	\$0.00

## Major Activities Affecting Case Closing:

Hearing on Objection to Claims 5/4/04 - ready to close

Initial Projected Date Of Final Report (TFR): September 1, 2004

Current Projected Date Of Final Report (TFR): September 1, 2004

## Form 2

Page: 1

## Cash Receipts And Disbursements Record

Case Number: 02-45077 DRS  
 Case Name: TURNER, PHILLIP CRAIG  
 Taxpayer ID #: 13-7386183  
 Period Ending: 10/03/04

Trustee: LINDA S. PAYNE (631540)  
 Bank Name: JPMORGAN CHASE BANK  
 Account: 312-9235520-65 - Money Market Account  
 Blanket Bond: \$300,000.00 (per case limit)  
 Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	8 Money Market Account Balance
10/06/03	{2}	P. Craig Turner	Repayment of checking account	1129-000	1,100.84		1,100.84
10/23/03	{2}	P Craig Turner	Repayment of cash	1129-000	1,100.00		2,200.84
10/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.19		2,201.03
11/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.36		2,201.39
12/03/03	{2}	P Craig Turner	Repayment of cash	1129-000	1,100.00		3,301.39
12/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.54		3,301.93
01/06/04	{2}	P Craig Turner	Repayment of cash	1129-000	1,100.00		4,401.93
01/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.70		4,402.63
02/27/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.70		4,403.33
03/31/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	0.69		4,404.02
04/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	0.54		4,404.56
05/28/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	0.56		4,405.12
06/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	0.54		4,405.66
07/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	0.56		4,406.22
08/31/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.69		4,406.91
09/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.72		4,407.63

## ACCOUNT TOTALS

Less: Bank Transfers

## Subtotal

Less: Payments to Debtors

## NET Receipts / Disbursements

4,407.63	0.00	4,407.63
0.00	0.00	
4,407.63	0.00	
	0.00	
4,407.63	\$0.00	

# Form 2

## Cash Receipts And Disbursements Record

Page: 2

Case Number: 02-45077 DRS  
Case Name: TURNER, PHILLIP CRAIG  
Taxpayer ID #: 13-7386183  
Period Ending: 10/03/04

Trustee: LINDA S. PAYNE (631540)  
Bank Name: JPMORGAN CHASE BANK  
Account: 312-9235520-65 - Money Market Account  
Blanket Bond: \$300,000.00 (per case limit)  
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
---------------------	---------------------------	------------------------------	---------------------------------	---------------------	--------------------------	--------------------------------------

TOTAL - ALL ACCOUNTS			Net Receipts	Net Disbursements	Account Balances
MMA # 312-9235520-65			4,407.63	0.00	4,407.63
			\$4,407.63	\$0.00	\$4,407.63

**SCHEDULE B**  
**APPLICATION FOR COMPENSATION**

TRUSTEE COMPENSATION:

Total Receipts	\$ 4,407.63	25% of First \$5,000.00	\$ 1,101.91
Balance	\$	10% of Next \$45,000.00	\$
Balance	\$	of Next \$950,000.00	\$
Balance	\$ _____	3% of Remaining Balance	\$
TOTAL COMMISSIONS			\$ 1,101.91

UNREIMBURSED EXPENSES: (See attached breakdown)

Recording Fees-----	
Premium on bond-----	
Travel-----	77.00
Clerical & Stenographic-----	82.00
Copies-----	17.25
Postage-----	16.21
Court Certification-----	
Federal Express-----	

TOTAL UNREIMBURSED EXPENSES--\$192.46

RECORDS:

Trustee did not take possession of business or  
personal records of the debtor.

\_\_\_\_X\_\_\_\_

Trustee did take possession of business or  
personal records of the debtor.

\_\_\_\_\_

Notice given to debtor on  
to pick up business or personal records in  
hands of trustee. If not picked up within  
30 days such records or work files may be  
destroyed.

\_\_\_\_\_



Exhibit "A"  
Expenses

Travel:

Hearing on Claims Objections 5/4/04 Plano - 220 miles @ .35 = \$77.00

<u>Secretarial, Copies &amp; Postage:</u>	<u>Copies</u>	<u>Postage</u>
Objections to Claims (#16 & 17 on Docket) 2.10	32	2.96
Final Report 1.00	20	
Bank Statements to UST		3.85
Final Distributions	17	5.55
Supplemental Final Report (E filed) 1.00		
Mail Checks and Statements to UST		3.85
Totals:		
Travel = 220 Miles @ 0.35 per mile-----	77.00	
Secretarial = 4.10 hrs @ \$20.00 per hour -----	82.00	
Copies = 69@ \$0.25 each-----	17.25	
Postage-----	16.21	
TOTAL: \$192.46		

**SCHEDULE C  
EXPENSES OF ADMINISTRATION**

	AMOUNT CLAIMED	AMOUNT PAID	AMOUNT DUE
1. 11 U.S.C. Sec 507(a)(1) <u>Court Cost and Fees</u>			
A. Notice & Claim Fees \$			
B. Adv. filing fees			
C. Quarterly Chapt 11			
2. 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of estate</u>			
A. Transportation			
B. Storage			
C. Wages			
D. Estates share FICA			
E. Insurance			
F. Other (itemize)			
G. Chapt 11 Trade Airborne Express			
3. 11 U.S.C. Sec.503(b)(2) <u>Post-Petition Taxes and related penalties</u>			
4. 11 U.S.C. Sec.503(b)(2) <u>Compensation and Reimbursement</u>			
A. Trustee Fees	1,101.91	0	1,101.91
B. Trustee Expenses	192.46	0	192.46
C. Attorney to Trustee			
D. Expenses for Attorney To Trustee			
E. Attorney for Debtor			
F. Auctioneer Fees Auctioneer Expenses			
5. Other (Itemize)			
 TOTAL-----	 1294.37		 1,294.37

**SCHEDULE D**

**SECURED CLAIMS**

Claim #	Claimant	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Amount Due
---------	----------	-------------------	--------------------------	-------------------	--------------------	------------

Totals                      \$ 0

## SCHEDULE E

### PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt. Due
1. For Credit Extended §364(e)(1)					
2. Claims from failure of adequate protection §307 (a)(b)					
3. "Gap Claims" §507 (a)(2)					
4. Wages, etc. §507 (a)(3)					
5. Contributions to benefit plans §507 (a)(4)					
6. Engaged in raising of grain or fisherman §507 (a)(5)					
7. Consumer deposits §507 (a)(6)					
8. Alimony or child support §507 (a)(7)					
9. Taxes §507 (a)(8)					

TOTAL ALLOWED PRIORITY CLAIMS: \$ 0

TIMELY FILED ALLOWED UNSECURED CLAIMS TOTAL: \$244,100.56

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**IN RE:**

**TURNER, PHILLIP**

**DEBTOR**

§  
§  
§  
§  
§  
§  
§

**CASE # 02-45077-R  
CHAPTER 7**

**TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS**

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation and all other matters which must be determined by the Court before final distribution can be made.
2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection hereto is made, filed and served on the Trustee and on the United States Trustee.

1. BALANCE ON HAND	\$ 4,407.63
2. ADMINISTRATIVE EXPENSES TO BE PAID	\$ 1,294.37
3. SECURED CLAIMS TO BE PAID	\$0
4. PRIORITY CLAIMS TO BE PAID	\$0
5. UNSECURED CLAIMS TO BE PAID	\$ 3,113.26
6. OTHER DISTRIBUTIONS TO BE PAID	\$
7. TOTAL DISTRIBUTIONS TO BE MADE	\$ 4,407.63
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS	\$ 0

Dated: October 2, 2004

/s/ Linda S. Payne  
Linda S. Payne, Trustee

## Claims Distribution Register

Case: 02-45077 TURNER, PHILLIP CRAIG

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
<b>Secured Claims:</b>								
2	02/10/03	100	BMW Financial Services NA, LLC 5515 Parkcenter Circle Dublin, OH 43017 <4210-00 Pers. Prop. & Intangibles--Consensual Liens (UCC, chattel, PMSI)> Secured	32,427.55	0.00	0.00	0.00	0.00
Priority 100: 0% Paid								
<b>Admin Ch. 7 Claims:</b>								
	09/20/02	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2100-00 Trustee Compensation>	1,101.91	1,101.91	0.00	1,101.91	1,101.91
	09/20/02	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2200-00 Trustee Expenses>	192.46	192.46	0.00	192.46	192.46
Total for Priority 200: 100% Paid				\$1,294.37	\$1,294.37	\$0.00	\$1,294.37	\$1,294.37
Total for Admin Ch. 7 Claims:				\$1,294.37	\$1,294.37	\$0.00	\$1,294.37	\$1,294.37
<b>Unsecured Claims:</b>								
1	01/28/03	610	Chase Manhattan Bank USA, NA c/o Chase BankCard Services, Inc. P. O. Box 52176 Phoenix, AZ 85072-2176 <7100-00 General Unsecured § 726(a)(2)> Unsecured	6,930.22	6,930.22	0.00	6,930.22	88.39
3	02/07/03	610	American Express c/o Becet & Lee LLP P. O. Box 3001 Malvern, PA 19355-0701 <7100-00 General Unsecured § 726(a)(2)> Unsecured	42,789.74	42,789.74	0.00	42,789.74	545.74
4	02/07/03	610	American Express c/o Becet & Lee LLP P. O. Box 3001 Malvern, PA 19355-0701 <7100-00 General Unsecured § 726(a)(2)> Unsecured	16,316.25	16,316.25	0.00	16,316.25	208.10
5	02/07/03	610	American Express c/o Becet & Lee LLP P. O. Box 3001 Malvern, PA 19355-0701 <7100-00 General Unsecured § 726(a)(2)> Unsecured	1,861.94	1,861.94	0.00	1,861.94	23.74

## Claims Distribution Register

Case: 02-45077 TURNER, PHILLIP CRAIG

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
6	02/03/03	610	GE Capital Consumer Card P O Box 8726 Dayton, OH 45401 <7100-00 General Unsecured § 726(a)(2)> Unsecured	5,726.46	5,726.46	0.00	5,726.46	73.04
7	02/27/03	610	Discover Financial Services P. O. Box 8003 Hilliard, OH 43026 <7100-00 General Unsecured § 726(a)(2)> Unsecured	10,176.41	0.00	0.00	0.00	0.00
8	03/14/03	610	MBNA America Bank NA P. O. Box 15168 MS 1421 Wilmington, DE 19850 <7100-00 General Unsecured § 726(a)(2)>	58,218.04	58,218.04	0.00	58,218.04	742.51
9	03/25/03	610	Monogram Credit Card Bank of Georgia 25 SE 2nd Ave., Ste 1120 Miami, FL 33131 <7100-00 General Unsecured § 726(a)(2)> Unsecured	13,351.06	13,351.06	0.00	13,351.06	170.28
10	03/31/03	610	Discover Financial Services P. O. Box 8003 Hilliard, OH 43026 <7100-00 General Unsecured § 726(a)(2)> Unsecured	11,694.05	11,694.05	0.00	11,694.05	149.15
11	04/07/03	610	Citibank/Choice Exception Payment Processing P. O. Box 6305 The Lakes, NV 88901-6305 <7100-00 General Unsecured § 726(a)(2)> Secured	22,599.63	22,599.63	0.00	22,599.63	288.23
12	04/07/03	610	Citibank/Choice Exception Payment Processing P. O. Box 6305 The Lakes, NV 88901-6305 <7100-00 General Unsecured § 726(a)(2)> Unsecured	9,873.22	9,873.22	0.00	9,873.22	125.93
13	04/14/03	610	Bank One, Delaware N.A. P. O. Box 517 Frederick, MD 21705-0517 <7100-00 General Unsecured § 726(a)(2)> Unsecured	897.06	897.06	0.00	897.06	11.44
14	04/14/03	610	Bank One, Delaware N.A. P. O. Box 517 Frederick, MD 21705-0517 <7100-00 General Unsecured § 726(a)(2)> Unsecured	18,781.09	18,781.09	0.00	18,781.09	239.53

## Claims Distribution Register

Case: 02-45077 TURNER, PHILLIP CRAIG

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
15	04/14/03	610	Citibank USA, NA dba Bailey Banks & Biddle P. O. Box 9025 Des Moines, IA 50368 <7100-00 General Unsecured § 726(a)(2)> Secured	24,036.15	24,036.15	0.00	24,036.15	306.56
16	04/14/03	610	Citibank USA, N.A. dba Helzberg Non Bridal P. O. Box 9025 Des Moines, IA 50368 <7100-00 General Unsecured § 726(a)(2)> Secured	4,024.55	4,024.55	0.00	4,024.55	51.33
17	02/13/03	610	Discover Financial Services P. O. Box 8003 Hilliard, OH 43026 <7100-00 General Unsecured § 726(a)(2)> Unsecured	7,001.10	7,001.10	0.00	7,001.10	89.29
Total for Priority 610: 1.27540% Paid				\$254,276.97	\$244,100.56	\$0.00	\$244,100.56	\$3,113.26
Total for Unsecured Claims:				\$254,276.97	\$244,100.56	\$0.00	\$244,100.56	\$3,113.26
Total for Case :				\$287,998.89	\$245,394.93	\$0.00	\$245,394.93	\$4,407.63